



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Daljit S. OHBI et al. Confirmation No: 5192
Appl. No. : 10/507,214
Filed : September 16, 2004
Title : SEAL MATERIAL FOR A DISPENSING APPARATUS

TC/A.U. : 1772
Examiner : B.T. O'Hern

Docket No.: : OHBI3001/REF
Customer No: : 23364

REQUEST FOR RECONSIDERATION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is in response to the Rejection of August 6, 2008, in connection with the above identified application. The period for response to this Official Action has been extended to expire on February 6, 2009, by the filing herewith of a petition for a three month extension of time and payment of the required fee.

The rejection of claims 1-6, 8-9, 12-20, 22-27 and 37-41 as being unpatentable over Chan et al. (GB 0106046.6) which was published May 2, 2001 or in the alternative, WO 02/072449 which claims priority to the Chan disclosure in view of Kaszas et al. and Whitby has been carefully considered but is most respectfully traversed. Applicants most respectfully submit that GB0106046.6 was not published and not available to the public on May 2, 2001. The suggestion in the Official Action that GB 0106046.6 was published on 2 May 2001 is NOT correct and therefore most respectfully traversed. GB 0106046.6 was filed on 12 March 2001. The United Kingdom Patents and Design Journal of 2 May 2001 does NOT constitute publication of the content of the patent application and specification. The only information the United Kingdom Journal provides (as set out on page 1680 of the Journal in question) are the following details: (i) Applicant Name; (ii) Title; (iii) Filing date; and (iv) Application Number. These are merely Bibliographic details.